



**State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456

November 5, 2002



**CERTIFIED MAIL  
(# 7099 3400 0002 9773 1540)  
RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY  
No. WMD 02-45**

Grand Rental Station  
63 Plaistow Road  
Plaistow, New Hampshire 03865

Attn: Mr. Arthur Sickel, President

**Re: Grand Rental Station  
Plaistow, New Hampshire  
EPA ID # NHD510129604**

Dear Mr. Sickel

On September 13, 2002, the Department of Environmental Services (DES) conducted an inspection of Grand Rental Station. The purpose of the inspection was to determine Grand Rental Station's compliance status with RSA 147-A and its implementing regulations, the New Hampshire Hazardous Waste Rules (codified as Env-Wm 100-1100).

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

**Env-Wm 502.01 – Hazardous Waste Determination**

At the time of the inspection, no formal hazardous waste determination had been performed on the waste lamps generated at Grand Rental Station. DES inspectors also confirmed that Grand Rental Station disposes of waste lamps in the on-site dumpster.

Env-Wm 502.01 requires that all generators of waste determine if their waste is a hazardous waste. Waste determined to be hazardous must be handled pursuant to the requirements of the Hazardous Waste Rules.

DES requests that Grand Rental Station test a representative sample of the waste lamps for the characteristic of toxicity as defined in Env-Wm 403.06. Analyses should include, at a minimum, RCRA metals, using the Toxicity Characteristic Leaching Procedure (TCLP) Method 1311 found in Test Methods for Evaluating Solid Wastes, SW-846.

Please be advised that a waste determination may also be accomplished by Grand Rental Station using knowledge of the hazardous constituents or characteristics of the waste, based on the materials or processes used to generate the waste.

Alternatively, Grand Rental Station may elect to manage waste lamps as "universal waste" in accordance with Env-Wm 1100. Enclosed please find the DES Environmental Fact Sheet #WMD-HW-7 "Universal Waste Lamps: Management Requirements for Handlers and Transporters," and a DES "Fluorescent Lamp and Ballast Recycling Facility" list to aid you with the determination.

Grand Rental Station will need to provide the results of the hazardous waste determination, along with any other supporting data, such as Material Safety Data Sheets (MSDS) and/or chemical analyses, to DES.

2. Env-Wm 508.02(c) – Storage Requirements for Ignitable and Reactive Wastes

At the time of the inspection, Grand Rental Station had not posted a "No Smoking" sign near the one (1) 25-gallon container of ignitable waste gasoline.

Env-Wm 508.02(c) requires that generators post a "No Smoking" sign wherever there is a hazard from ignitable or reactive wastes.

DES requests that Grand Rental Station post a "No Smoking" sign near the container of waste gasoline.

3 Env-Wm 510.02(d) - Manifest Copy Distribution

At the time of the inspection, Grand Rental Station had not submitted copies of the following six (6) hazardous waste manifests to DES:

- 1) Manifest No. MAM370274, dated 3/13/00
- 2) Manifest No. MAM559660, dated 7/6/00
- 3) Manifest No. MAM569593, dated 10/26/00
- 4) Manifest No. MAM912076, dated 2/13/01
- 5) Manifest No. MAM634441, dated 2/21/01
- 6) Manifest No. MAQ224249, dated 5/7/02

Env-Wm 510.02(d) requires that the generator retain one (1) copy of the manifest with signatures, and forward one (1) copy of the manifest with signatures to the destination state and one (1) copy to DES within five (5) days of shipment.

DES requests that Grand Rental Station submit copies of the above-listed manifests to DES, and properly retain and distribute manifest copies for future shipments of hazardous waste.

4. Env-Wm 512.01(a)(1) – Recordkeeping - Manifest Copy

DES manifest records indicate that Grand Rental Station has shipped hazardous waste using thirteen (13) hazardous waste manifests within the last three (3) years. At the time of the inspection, inspectors confirmed that Grand Rental Station only had one (1) copy of a facility-signed manifest on file (Manifest No. MAM374230, dated 5/19/00).

Env-Wm 512.01(a)(1) requires generators to keep on file, all manifest copies, including the original generator copy and the copy certified by the designated facility or the foreign consignee, for 3 years from the date of signature by the generator.

DES requests that Grand Rental Station obtain manifest copies for all hazardous waste shipped within the last 3 years. DES also requests that manifest copies be retained for future shipments of hazardous waste.

5. Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, one (1) 55-gallon container of used oil destined for recycling was not labeled with the words “Used Oil for Recycle.”

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words “Used Oil for Recycle” at all times during accumulation and storage.

DES requests that Grand Rental Station label all containers of used oil that are destined for recycling with the words “Used Oil for Recycle” at all times during accumulation and storage.

6. Env-Wm 807.06(b)(5) Standards for Generators of Used Oil Being Recycled

At the time of the inspection, the one (1) 55-gallon container of used oil destined for recycling was not closed.

Env-Wm 807.06(b)(5) requires that used oil be placed in containers or tanks that remain closed at all times, except to add or remove wastes.

DES requests that all containers and tanks be kept closed at all times except to add or remove used oil. Safety funnels that thread into the bung and have closeable lids that seal are acceptable for this purpose.

DES believes the cited deficiencies can be corrected and a report describing the corrective measures taken by Grand Rental Station can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Grand Rental Station including issuing an order requiring that deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may reinspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Kenneth W. Marschner, Administrator  
DES/WMD  
6 Hazen Drive  
Concord, New Hampshire 03301-6509

Enclosed you will find a copy of the completed Hazardous Waste Generator RCRA Inspection Checklist which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules. Enclosed you will also find the Summary of the Small Quantity Generator rules that was requested during the inspection.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

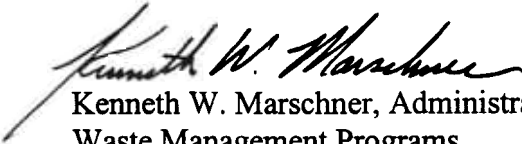
It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes,

summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271 2942.

Should you have any questions regarding this letter, please contact the lead inspector, Jessica Cajigas or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

  
Kenneth W. Marschner, Administrator  
Waste Management Programs  
Waste Management Division

cc: DB/RCRA/LOD/Archives  
Philip J. O'Brien, Ph.D., Director, WMD  
Gretchen Rule, Administrator, DES Legal Unit  
David Bishop, Manager, Grand Rental Station

E-mail: JJD/SD/SD/PM

Enclosure: Inspection Checklist  
Hazardous Waste Small Quantity Generator Requirements in New Hampshire  
DES Environmental Fact Sheet #WMD-HW-7 "Universal Waste Lamps: Management Requirements.  
DES "Fluorescent Lamp and Ballast Recycling Facility" list